

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

THE ART INSTITUTE OF PHILADELPHIA  
LLC, *et al.*,

Debtors.

GEORGE L. MILLER, Chapter 7 Trustee,

Plaintiff,

v.

TODD S. NELSON, JOHN R. MCKERNAN,  
SAMUEL C. COWLEY, EDWARD WEST,  
MARK A. McEACHEN, FRANK JALUFKA,  
J. DEVITT KRAMER, MARK NOVAD, JOHN  
DANIELSON, and MICK BEEKHUIZEN,

Defendants.

Chapter 7  
Case No. 18-11535 (CTG)

(Jointly Administered)

**JURY TRIAL DEMANDED**

Adv. Proc. No. 20-50627 (CTG)

**DECLARATION IN SUPPORT OF DEFENDANTS WEST  
AND BEEKHUIZEN'S REPLY MEMORANDUM IN SUPPORT OF  
THEIR MOTION TO DISMISS THE FIRST AMENDED COMPLAINT**

I, MICHAEL L. KICHLINE, declare pursuant to 28 U.S.C. § 1746 as follows:

I am a partner of the law firm Morgan, Lewis & Bockius LLP, attorneys for Defendants Edward West and Mick Beekhuizen (“Defendants”). I submit this Declaration in support of the Reply Memorandum in Support of Defendants West and Beekhuizen’s Motion to Dismiss the First Amended Complaint. I have personal knowledge of the facts asserted herein:

1. Attached hereto as Exhibit 17 is, upon information and belief, a true and correct copy of the complaint in *Massachusetts v. The New England Institute of Art, LLC et al.*, Civil

Action No. 1884CV02356 (Mass. Super. Ct. July 30, 2018), which is referenced in Paragraph 133(o) of the Trustee's First Amended Complaint in this matter (the "FAC").

2. Attached hereto as Exhibit 18 is, upon information and belief, a true and correct copy of the June 22, 2017 letters from certain members of Congress to certain university accrediting commissions, which are referenced in Paragraphs 133(m)-(n) of the FAC.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 15, 2022

/s/ Michael L. Kichline

Michael L. Kichline